

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

FC 2015-094016

09/02/2015

HONORABLE JAMES D. SMITH

CLERK OF THE COURT

G. Clark

Deputy

IN RE THE MATTER OF
BRIAN WILLIAM TANNER

HEATH H MCWHORTER

AND

HOLLY JEANNETTE TANNER

GEOFF MORRIS

DOCKET-FAMILY COURT-SE
OFFICE OF PUBLIC DEFENSE
SERVICES-CCC
PAMELA DAVIS
P.O. BOX 1163
PEORIA AZ 85380

NOTICE TO PETITIONER/RESPONDENT: If you have a protected address, you must contact the person appointed below and provide contact information within 10 days of the date of this minute entry.

APPOINTMENT OF COURT-APPOINTED ADVISOR FOR CHILDREN

IT IS ORDERED appointing Pamela Davis **602-374-0311** as a Court-Appointed Advisor in this case in accordance with Rule 10, Arizona Rules of Family Law Procedure. A Court-Appointed Advisor is specifically authorized by Rule 10(E) to testify or submit a report setting forth the advisor's recommendations regarding the best interests of the children and the basis for the advisor's recommendations. A Court-Appointed Advisor may be called as a witness for the purpose of cross-examination regarding the report without being listed as a witness by a party. If a Court-Appointed Advisor seeks to waive his or her appearance at a proceeding, the Court-Appointed Advisor should contact the other parties and include their positions in the motion so no one is unfairly surprised by unavailability for cross-examination.

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IT IS FURTHER ORDERED that this appointment shall continue until the entry of a Decree, Order or Judgment that fully adjudicates all pending legal decision-making and parenting time issues unless the Court-Appointed Advisor is earlier released by the Court.

IT IS FURTHER ORDERED that the Court-Appointed Advisor shall have authority to:

- a) Meet with the children at any location where the children may be located;
- b) Meet and interview the parents, spouses, significant others, and all adults living in the household;
- c) Visit the home(s) of the parents to determine if the environments are appropriate for the children;
- d) Investigate and review both parents', their spouses' and significant others' backgrounds with regard to criminal arrests and convictions;
- e) Determine if drug testing by either or both parents is needed;
- f) Review the children's school/daycare records, Parenting Skills records, psychological evaluations, and counseling records;
- g) Visit and interview the children's daycare provider; and
- h) Review law enforcement, court, or Department of Child Safety reports concerning the children.

IT IS ORDERED that any and all day care, parenting time supervisors, schools, school districts and personnel thereof shall fully cooperate with the Court-Appointed Advisor representing the children in this action by allowing the Court Appointed Advisor to interview the children and allowing access to all educational records of the children, including but not limited to records pertaining to day care/school attendance, behavior, academic progress, and psychological evaluations, and shall discuss the contents and meaning thereof with him/her.

IT IS FURTHER ORDERED that any and all hospitals, doctors' offices and personnel thereof shall fully cooperate with the Court-Appointed Advisor representing the children in this matter by allowing access to all medical/dental records of the children, including but not limited to records pertaining to diagnosis, treatment, and prognosis, and shall discuss the contents and meaning thereof with him/her.

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IT IS FURTHER ORDERED that any and all police department, sheriffs' department, law enforcement agencies, and personnel thereof shall fully cooperate with the Court-Appointed Advisor representing the children in this matter by allowing access to all police/sheriff/law enforcement records and reports of the children's parents, stepparents, or significant others of the parents, including but not limited to records pertaining to arrests, convictions, and narrative reports.

IT IS FURTHER ORDERED that Department of Child Safety, the Department of Economic Security, the Department of Health Services and personnel thereof shall fully cooperate with the Court-Appointed Advisor representing the children in this matter by allowing access to all records and reports of the children, children's parents, stepparents, or significant others of the parents, including but not limited to records pertaining to sexual abuse, parenting skills, behavior, psychological/psychiatric evaluations, and allegations of child abuse, sexual abuse and neglect.

The Court-Appointed Advisor shall attend all court hearings concerning the children unless excused by the Court upon written motion, and shall participate in the conduct of litigation to the extent authorized by Rule 10, Arizona Rules of Family Law Procedure.

The Court-Appointed Advisor has limited immunity consistent with Arizona case law applicable to Officers of the Court as to all actions undertaken pursuant to the Court appointment and this Order. Any alleged impropriety or unethical conduct by the Court-Appointed Advisor shall be brought to the attention of the Court in writing.

IT IS FURTHER ORDERED the Petitioner shall be responsible for and pay 100 % of the Court-Appointed Advisor's fees, and the shall be responsible for and pay % of the Court-Appointed Advisor's fees, until further order of the Court. All fees shall be paid in advance as determined by the Office of Public Defense Services.

IT IS FURTHER ORDERED signing this minute entry as a formal order of this Court pursuant to Rule 81, Arizona Rules of Family Law Procedure.

/s/ HONORABLE JAMES D. SMITH

HONORABLE JAMES D. SMITH
JUDGE OF THE SUPERIOR COURT

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All parties representing themselves must keep the Court updated with address changes.
A form may be downloaded at: <http://www.superiorcourt.maricopa.gov/SuperiorCourt/Self-ServiceCenter>.